

## Message Text

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ACTION OES-07

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DODE-00 INR-10 NSAE-00 PA-01 USIA-06 SP-02 DOTE-00  
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AGRE-00 /122 W

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FM AMEMBASSY CANBERRA

TO SECSTATE WASHDC PRIORITY 2600

C O N F I D E N T I A L SECTION 1 OF 4 CANBERRA 1672

FROM USDEL ANTARCTIC

DEPARTMENT PASS TO MARINE MAMMAL COMMISSION

E.O. 11652: GDS

TAGS: XV, EFIS, US

SUBJ: ANTARCTIC TREATY: REPORT OF FIRST WEEK OF  
ANTARCTIC TREATY SPECIAL CONSULTATIVE MEETING ON  
MARINE LIVING RESOURCES

1. BEGIN SUMMARY: MEETING OF CONSULTATIVE PARTIES ON  
ANTARCTIC LIVING MARINE RESOURCES HAS GOTTEN OFF TO A  
WORKING START. EARLY ON, AN OUTLINE OF A DRAFT CONVENT-  
ION FOR FOCUSING DISCUSSION WAS AGREED. ALSO, IT WAS  
AGREED THAT CHAIRMAN WOULD PREPARE DRAFT TEXTS TAKING  
INTO ACCOUNT THE DRAFTS SUBMITTED AS WELL AS THE DEBATE  
IN PLENARY. DEBATE DURING FIRST WEEK HAS FOCUSED ON (1)  
SCOPE OF CONVENTION IN TERMS OF AREA AND SPECIES COVER-  
ED; (2) GENERAL PRINCIPLES AND OBLIGATIONS INCLUDING A  
CONSERVATION STANDARD; (3) ORGANIZATIONAL STRUCTURE;  
(4) COOPERATION WITH OTHER ORGANIZATION; (5) ENFORCE-  
MENT; (6) LINKS WITH ANTARCTIC TREATY; (7) FINAL CLAUSES.  
BY BEGINNING OF SECOND WEEK, CHAIRMAN WILL HAVE PREPARED  
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WORKING DRAFTS ON ALL OF THESE POINTS IN ORDER TO  
FOCUS DEBATE, TERRITORIAL ISSUE, CONSERVATION STANDARD,  
VOTING STANDARD, AND AEA OF APPLICATION OF THE REGIME  
ARE DIFFICULT REMAINING ISSUES THAT IMPACT ON ALL THE  
ABOVE NOTED POINTS. END OF SUMMARY.

2. THE SPECIAL CONSULTATIVE MEETING (SCM) ON ANTARCTIC

MARINE LIVING RESOURCES WAS OPENED FEBRUARY 27 BY AUSTRALIAN FOREIGN MINISTER PEACOCK. THE OPENING SESSION WAS THEORETICALLY OPEN TO THE PUBLIC AND DREW CONSIDERABLE PRESS ATTENTION. JOHN ROWLAND DEPUTY SECRETARY OF THE AUSTRALIAN DEPT. OF FOREIGN AFFAIRS WAS ELECTED CHAIRMAN. ARGENTINA, CHILE, FRANCE, JAPAN, NEW ZEALAND, NORWAY, SOUTH AFRICA, USSR, UK, US AND AUSTRALIA MADE OPENING STATEMENTS. OPENING STATEMENT BY U.S. REPRESENTATIVE WAS REPORTED CANBERRA 1451.

3. DURING AFTERNOON OF FEBRUARY 27 HEADS OF DELEGATION MET AND AGREED ON AGENDA, PRESS PROCEDURES, AND DISCUSSED MEANS OF PROCEEDING. TAKING ACCOUNT THAT SIX COUNTRIES HAD TABLED DRAFTS (AUSTRALIA, ARGENTINA, JAPAN, FRANCE, SOUTH AFRICA, AND THE SOVIET UNION), THE SOVIET DELEGATION SUGGESTED THAT AN OUTLINE OR SKELETON OF A POSSIBLE CONVENTION BE USED TO FOCUS THE TALKS AND TO PROVIDE A FRAMEWORK FOR DISCUSSING THE VARIOUS POSITIONS. THIS APPROACH HAD BEEN DISCUSSED BETWEEN U.S. DELEGATION AND USSR DELEGATION ON FEBRUARY 26 AT WHICH TIME IT WAS JOINTLY AGREED THAT OUTLINE APPROACH WAS BEST MEANS OF PROCEEDING. ANOTHER ALTERNATIVE SUGGESTED WAS TO PREPARE A COMPOSITE TEXT INCORPORATING THE VARIOUS DRAFTS. THE CHAIRMAN AGREED TO PREPARE SKELETON PAPER FOR CONSIDERATION. SOVIETS SUBMITTED DRAFT OUTLINE FOR CHAIRMAN'S CONSIDERATION. SOVIETS HAD IN-CONFIDENTIAL

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FORMALLY OFFERED US DELEGATION OPPORTUNITY TO COMMENT ON THIS DRAFT PRIOR TO SUBMISSION, BUT HAD REFUSED TO MAKE CHANGES. US DELEGATION ALSO PASSED TO CHAIRMAN INFORMAL PAPER SHOWING US THINKING ON DRAFT OUTLINE. IN ADDITION, THE CHAIRMAN INDICATED THAT SECRETARIAT WAS PREPARING COMPARATIVE TABLE OF DRAFT CONVENTION ALREADY SUBMITTED. FINALLY, THE HEADS OF DELEGATION MEETING DECIDED THAT IT WOULD BE APPROPRIATE THAT FIRST FULL DAY OF DEBATE BE USED BY REPRESENTATIVES OF COUNTRIES TABLING DRAFTS TO FORMALLY POINT OUT THE IMPORTANT ELEMENTS IN THEIR DRAFTS.

4. A SHORT PLENARY WAS HELD DURING THE LATE AFTERNOON OF THE FIRST DAY, DURING WHICH THE CHAIRMAN REPORTED ON THE HEADS OF DELEGATION MEETING. THE AGENDA WAS ALSO FORMALLY ADOPTED.

5. SECOND DAY. FEBRUARY 28. MORNING PLENARY INCLUDED STATEMENTS IN SUPPORT OF THEIR DRAFTS BY ARGENTINA, JAPAN, FRANCE, AND THE USSR. CHILE SPOKE IN SUPPORT OF PRINCIPLES CONTAINED IN A "WORKING PAPER; THAT IT TABLED. DURING EARLY PART OF AFTERNOON SESSION, SOUTH AFRICA

AND AUSTRALIA SPOKE IN FAVOR OF THEIR DRAFTS, AND THE UK  
AND NEW ZEALAND COMMENTED ON A VARIETY OF POINTS RAISED  
BY THE VARIOUS DRAFTS. THE U.S. AND POLAND Tabled  
DRAFT CONVENTIONS. (U.S. DELEGATION DECIDED TO TABLE  
DRAFT CONVENTIONS WHEN IT BECAME APPARENT THAT ABSENCE  
OF U.S. PROVISIONS FROM COMPARATIVE TABLE WOULD PLACE  
U.S. AT NEGOTIATING DISADVANTAGE.).

6. DURING SECOND HALF OF AFTERNOON SESSION, CHAIRMAN  
TABLED A PROPOSAL FOR A SKELETON OUTLINE OF POSSIBLE  
TOPICS TO BE CONSIDERED FOR INCLUSION IN THE CONVENTION  
FOR THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOUR-  
CES. HIS PROPOSAL CLOSELY RESEMBLED U.S. DELEGATION  
SUGGESTIONS. WITH MINOR MODIFICATIONS, HIS PROPOSED  
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OUTLINE FOR STRUCTURING THE NEGOTIATIONS WAS ACCEPTED.  
IN SUMMARY, THAT OUTLINE IS AS FOLLOWS:

1. PREAMBLE
2. SCOPE OF CONVENTION
3. BASIC PRINCIPLES AND OBLIGATIONS

NOTE BY OC/T: NOT PASSED MMC.

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FM AMEMBASSY CANBERRA  
TO SECSTATE WASHDC PRIORITY 2601

C O N F I D E N T I A L SECTION 2 OF 4 CANBERRA 1672

FROM USDEL ANTARCTIC

DEPARTMENT PASS TO MARINE MAMMAL COMMISSION

4. ARTICLE 4 OF ANTARCTIC TREATY

5. ORGANIZATIONAL STRUCTURE

6. COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS

7. LINKS WITH ANTARCTIC TREATY

8. INSPECTION AND ENFORCEMENT

9. FINAL CLAUSES.

7. REMAINING DISCUSSION CENTERED ON THE BEST MEANS OF PROCEEDING. IT WAS DECIDED THAT A SCIENTIFIC DISCUSSION ON THE AREA OF THE CONVENTION SHOULD TAKE PLACE DURING THE MORNING OF THE THIRD DAY TO BE LED BY SIR DONALD LOGAN OF THE U.K. ALSO, IT WAS DECIDED THAT HEADS OF DELEGATION SHOULD ALSO MEET DURING MORNING OF THE THIRD

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DAY TO DETERMINE THE BEST WAY TO PROCEED WITH DEBATE.

8. MARCH 1. THIRD DAY. SCIENTIFIC DISCUSSION CHAIRED BY U.K. BEGAN WITH A SHORT LECTURE BY DR. LAWS OF THE U.K. ON THE ANTARCTIC MARINE ECOSYSTEM AND ITS STRUCTURE AND COMPONENTS. PREPARED REPORTS BY ARGENTINA AND CHILE FOLLOWED, IDENTIFYING ONGOING SCIENTIFIC RESEARCH PROGRAMS BEING CARRIED OUT BY THOSE COUNTRIES, AND SOME RESULTS AND CONCLUSIONS. ARGENTINA MENTIONED CONCERNS STEMMING FROM CONSIDERATION OF WHETHER OR NOT DEMERSAL FISHERY RESOURCES CROSS THE ANTARCTIC CONVERGENCE. CHILE MADE THREE SPECIFIC PROPOSALS: MAXIMUM EFFORT ON KRILL FISHING SHOULD BE DEFERRED UNTIL BETTER DATA IS OBTAINED AND MEANWHILE BE LIMITED TO A LEVEL OF 2,000,000 METRIC TONS; A DATA COLLECTION SYSTEM SHOULD BE ESTABLISHED; AND , AN INTERNATIONAL PROGRAM FOR STANDARDIZATION OF SCIENTIFIC METHODOLOGY SHOULD BE ADOPTED. AUSTRALIA INTERVENED TO MAKE POINT THAT THE EFFECTS OF POLLUTION AND MAN'S ACTIVITIES ON THE ECOSYSTEM SHOULD BE STUDIED.

9. SOVIET INTERVENTION PROPOSED THAT THE ANTARCTIC

CONVERGENCE BE USED TO DEFINE CONVENTION AREA AND THAT ALL BIOLOGICAL RESOURCES WITHIN THAT AREA BE INCLUDED WITHIN THE TERMS OF THE CONVENTION. USG SUPPORTED SOVIET PROPOSAL, AND ALSO MADE POINT THAT A CONSERVATION STANDARD WAS NECESSARY AND THAT GOALS SHOULD INCLUDE: DATA COLLECTION, PREVENTING IRREVERSIBLE OR LONG TERM CHANGES IN THE ENVIRONMENT, MAINTAINING A FULL RANGE OF CONSERVATION OPTIONS, AND PREVENTING THE DEPLETION OF TARGET, DEPENDENT AND RELATED SPECIES.

10. GENERAL DEBATE ENSUED CONCERNING THE APPROPRIATE-  
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TENESS OF USING THE CONVERGENCE AS A LIMIT. FRANCE AND SOUTH AFRICA NOTED THAT THE CONVERGENCE WAS TRANSITORY, AND CLAIMED THAT THERE WAS A NEED FOR GEOGRAPHIC COORDINATES. USG PROPOSED THAT CONVENTION BE BROADLY WORDED, REFERRING ONLY TO THE CONVERGENCE, AND THAT COMMISSION BE ALLOWED TO IDENTIFY FROM TIME TO TIME THE PRECISE LIMITS. U.K. PROPOSED THAT GEOGRAPHIC LIMITS BE INCLUDED IN AN ANNEX TO THE CONVENTION.

11. DURING AFTERNOON OF THIRD DAY PLENARY TOOK UP A GENERAL DISCUSSION OF THE BASIC PRINCIPLES AND OBLIGATIONS OF THE PROPOSED REGIME, WHILE SMALLER AND MORE INFORMAL GROUP WAS CONVENED TO CONTINUE DISCUSSION OF THE AREA OF THE CONVENTION. POLAND, NORWAY, FRANCE, U.S., ARGENTINA, U.K., BELGIUM, USSR, CHILE, JAPAN, NEW ZEALAND AND AUSTRALIA MADE INTERVENTIONS. NORWAY MADE POINT THAT THE BEST WAY TO HAVE THE COMPLIANCE OF THIRD COUNTRIES WAS TO INVITE THEM TO PARTICIPATE IN THE REGIME. THE U.S. RESTATED THE NEED FOR A CONSERVATION STANDARD BASED ON ECOSYSTEM APPROACH AGAINST WHICH THE CONTRACTING PARTIES ACTIVITIES SHOULD BE MEASURED. ARGENTINA, CHILE, POLAND AND FRANCE FOCUSED ON THE RESPONSIBILITIES OF THE CONSULTATIVE PARTIES. THE SOVIET UNION AND JAPAN STATED THE NEED FOR A REFERENCE TO UTILIZATION ALONG WITH CONSERVATION AS A CONVENTION PRINCIPLE. U.K. SPOKE IN FAVOR OF CONSERVATION STANDARD. JAPAN SPOKE AGAINST THE ECOSYSTEM CONCEPT. NEW ZEALAND SPOKE IN GENERAL SUPPORT OF A STRICT CONSERVATION STANDARD WHILE NOT PRECLUDING UTILIZATION. SMALL GROUP CONSIDERING THE AEA OF THE CONVENTION CONTINUED ITS DEBATE.

NOTE BY OC/T: NOT PASSED MMC.

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ACTION OES-07

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FM AMEMBASSY CANBERRA  
TO SECSTATE WASHDC PRIORITY 2602

C O N F I D E N T I A L SECTION 3 OF 4 CANBERRA 1672

FROM USDEL ANTARCTIC

DEPARTMENT PASS TO MARINE MAMMAL COMMISSION

12. MARCH 2. FOURTH DAY. PLENARY DISCUSSION IN  
MORNING AND AFTERNOON FOCUSED ON ITEM 5 OF CHAIRMAN'S  
SKELETON DRAFT: ORGANIZATIONAL STRUCTURE, MEMBERSHIP,  
FUNCTIONS, AND THE DECISION MAKING POWER OF THE COM-  
MISSION AND SCIENTIFIC BODY. INTERVENTIONS WERE MADE  
BY ALL DELEGATIONS.

A. NATURE OF OBLIGATIONS: TWO BASIC APPROACHES WERE  
APPARENT. NEW ZEALAND AND THE U.S. SPOKE IN FAVOR OF A  
SYSTEM THAT REQUIRED THE PARTIES TO BE BOUND BY DECIS-  
IONS OF THE COMMISSION. FRANCE, U.K. AND JAPAN SPOKE  
IN FAVOR OF THE COMMISSION MAKING RECOMMENDATIONS TO  
GOVERNMENTS WHICH THE GOVERNMENTS WOULD HAVE THE OP-  
PORTUNITY TO APPROVE OR TO REJECT THROUGH AN OBJECTION  
PROCEDURE.

B. VOTING. SEVERAL FORMULATIONS WERE PUT FORWARD:  
FRANCE SUPPORTED A SYSTEM FOR A TWO THIRDS VOTE OF THE  
CONSULTATIVE PARTIES. SOUTH AFRICA, CHILE, AND ARGEN-  
TINA SUPPORTED A CONSENSUS OR UNANIMITY SYSTEM. THE  
U.K., NORWAY, NEW ZEALAND, BELGIUM, THE U.S. AND JAPAN  
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SUPPORTED A TWO THIRDS MAJORITY SYSTEM. POLAND AND  
THE USSR SUPPORTED TWO THIRDS OF THE CONTRACTING  
PARTIES PLUS UNANIMITY OF THE CONSULTATIVE PARTIES.  
AND AUSTRAIA SUPPORTED A FORUMULA REQUIRING UNANIMITY

FOR IMPORTANT DECISIONS BUT A TWO THIRDS RULE FOR PROCEDURAL MATTERS.

C. MEMBERSHIP IN THE COMMISSION AND PARTICIPATION IN THE CONVENTION. THREE BASIC FORMULAS WERE SUPPORTED. FRANCE, NORWAY, AND NEW ZEALAND,ADVANCED THE PROPOSAL THAT ALL CONTRACTING PARTIES SHOULD BE MEMBERS OF THE COMMISSION, WITHOUT ANY QUALIFICATION. SOUTH AFRICA, POLAND, CHILE, USSR, BELGIUM, AND ARGENTINA SUPPORTED VARIATIONS OF A FORMULA WHEREBY THE CONVENTION WOULD BE OPEN TO ALL STATES, BUT THE COMMISSION WOULD ONLY BE OPEN TO CONSULTATIVE PARTIES, AND THOSE STATES EXPLOITING RO CONDUCTING SCIENTIFIC RESEARCH ON ANTARCTIC MARINE LIVING RESOURCES. THE U.S. AND AUSTRALIA SUPPORTED A FORMULA WHERE THE CONVENTION WOULD BE OPEN TO THOSE HARVESTING OR DOING SUBSTANTIAL RESEARCH. ALL SUCH PARTIES WOULD B TREATED EQUALLY.

D. FUNCTIONS OF THE COMMISSION. MOST PARTICIPANTS STATED THAT THE FUNCTIONS OF THE COMMISSION SECRETARIAT AND SCIENTIFIC BODY WERE SELF EVIDENT, AND NOTED THAT THE CHAIRMAN HAD A NUMBER OF DRAFTS TO DRAW UPON. HOWEVER, NORWAY AND CHILE MADE SPECIFIC REFERENCE TO THE U.S. DRAFT AND TO THE THOROUGHNESS WITH WHICH IT DEALT WITH THE FUNCTIONS OF THE COMMISSION. GENERALLY, STATES SPOKE IN FAVOR OF THE COMMISSION HAVING A STRONG MANDATE IN ORDER TO EFFECTIVELY CARRY OUT THE CONSERVATION STANDARD. ALSO, ALL PARTICIPANTS GENERALLY SUPPORTED THE ESTABLISHMENT OF A SCIENTIFIC BODY, INDEPENDENT OF THE COMMISSION, BUT SUBJECT TO THE GUIDANCE OF THE COMMISSION.

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E. OTHER SPECIFIC PROPOSALS OF INTEREST. THE U.K. PROPOSED THAT DIFFERENCES IN OPINION WITHIN THE SCIENTIFIC BODY SHOULD BE REFERRED TO A DIFFERENT SCIENTIFIC BODY FOR RESOLUTION. POLAND PROPOSED THAT THE COMMISSION NAMED THE ANTARCTIC MARINE CONSERVATION COMMISSION. CHILE PROPOSED AN ELABLRATE VOTING STRUCTURE THAT ALLOWED THE CONSULTATIVE PARTIES A DOUBLE VOTE. BELGIUM WOULD REQUIRE THAT IN ORDER FOR A PARTY TO VOTE WITHIN THE COMMISSION IT WOULD HAVE TO BE A PARTY TO THE ANTARCTIC TREATY. THE U.S. STRESSED THE NEED FOR THE COMMISSION TO RELY ON THE INDEPENDENT ADVICE OF THE SCIENTIFIC BODY.

13. IN LATE AFTERNOON OF FOURTH DAY, PLENARY TOOK UP PARA 7 ON LINKS WITH THE ANTARCTIC TREATY AND PARA 9 OF THE SKELETON OUTLINE DEALING WITH FINAL CLAUSES. INTERVENTIONS MAINLY RESTATED POSITIONS SET FORTH EARLIER BY EACHPARTY, WITH GENERAL THRUST OF COMMENTS GOING TO THE POINT THAT THE IMPORTAND CONTRIBUTIONS

AND RESPONSIBILITIES OF THE CONSULTATIVE PARTIES MUST BE RECOGNIZED, BUT THAT SUCH RECOGNITION SHOULD NOT WORK AS A DISINCENTIVE FOR OTHER STATES TO JOIN THE NEW CONVENTION.

NOTE BY OC/T: NOT PASSED MMC.

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TO SECSTATE WASHDC PRIORITY 2603

C O N F I D E N T I A L SECTION 4 OF 4 CANBERRA 1672

FROM USDEL ANTARCTIC

DEPARTMENT PASS TO MARINE MAMMAL COMMISSION

14. THROUGHOUT FORTH DAY, INFORMAL GROUP CHAIRED BY SIR DONALD LOGAN OF THE U.K. MET TO DISCUSS AREA OF APPLICATION OF THE CONVENTION. AGREEMENT WAS NOT REACHED, AND CHAIRMAN TOOK RESPONSIBILITY TO PROVIDE DRAFT OF SEVERAL ALTERNATIVE ARTICLES INDICATIVE OF THE MAIN TRENDS OF THIS DISCUSSION.

15. MARCH 3. FIFTH DAY. PLENARY OPENED WITH REPORT OF THE WORKING GROUP ON THE AREA OF THE CONVENTION AND AN EXPLANATION OF THE ALTERNATIVE DRAFTS PREPARED BY THE WORKING GROUP CHAIRMAN. THEREAFTER, CHAIRMAN OPENED UPP DEBATE ON PARA 6 OF HIS SKELETON OUTLINE DEALING WITH COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS, PARA 7 DEALING WITH LINKS WITH THE ANTARCTIC TREATY, AND PARA 8 DEALING WITH INSPECTION AND ENFORCEMENT.

A. COOPERATION WITH OTHER INTERNATIONAL ORGANIZATION.  
ALL PARTICIPANTS SUPPORTED SOME RELATIONSHIP BETWEEN



THE BODY TO BE CREATED AND OTHER EXISTING BODIES.

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PRIMARY REFERENCES WERE TO SCOR, SCAR, IWC, AND FAO. ARGENTINE AND CHILE WOULD RESTRICT COOPERATION TO TIMES WHEN IT WAS DETERMINED TO BE CONVENIENT BY THE COMMISSION. USG SUPPORTED A PROVISION REQUIRING ALL PARTIES TO ABIDE BY IWC, SEAL CONVENTION AND THE AGREED MEASURES IN THE ANTARCTIC MARINE ECOSYSTEM. THIS WAS SUPPORTED BY THE U.K., HOWEVER, USSR AND JPAN TOOK VIEW THAT CONVENTION SHOULD NOT DEAL WITH WHALES IN ANY RESPECT AND THEREFORE THERE WAS NO NEED FOR REFERRAL TO COOPERATION WITH THE IWC.

B. ON THE ENFORCEMENT QUESTION, ARGENTINA, JAPAN, THE USSR AND SOUTH AFRICA DEEMED IT SUFFICIENT THAT THE CONVENTION PROVIDE FOR A GENERAL OBLIGATION TO ABIDE BY ITS TERMS, AND THAT OTHER ENFORCEMENT SYSTEMS WERE UNNECESSARY. THE U.K., NEW ZEALAND, U.S., AND NORWAY SPOKE IN FAVOR OF BOTH AN INSPECTION AND OBSERVER SYSTEM. FRANCE PROPOSED THAT THE ANTARCTIC TREATY INSPECTION SYSTEM BY TRANSFERRED TO THIS CONVENTION; AND CHILE SUPPORTED AN OBSERVER PROGRAM. AUSTRALIA AND BELGIUM SAW INSPECTIONS AS A COMMISSION FUNCTION.

C. ON DISPUTE SETTLEMENT, ARGENTINA, USSR, SOUTH AFRICA, U.S. AND CHILE SUPPORTED USING THE SAME SYSTEM AS ALREADY EMBODIED IN ARTICLE XI OF THE ANTARCTIC TREATY. THE U.K., FRANCE, AUSTRALIA, NEW ZEALAND AND BELGIUM SUPPORTED A MORE OBLIGATORY SYSTEM WITH AUSTRALIA AND NEW ZEALAND COMING DOWN ON SIDE OF TRENDS IN LOS DISPUTE SETTLEMENT AND THE U.K., FRANCE, AND BELGIUM COMING DOWN ON SIDE OF COMPULSORY ARBITRATION.

16. IN PLENARY IN LATE AFTERNOON OF THE FIFTH DAY, CHAIRMAN OPENED UP DEBATE ON POINT FOUR OF HIS SKELETON. THAT POINT DEALS WITH ARTICLE 4 OF THE ANTARCTIC TREATY REGARDING THE POSITIONS OF TERRITORIAL SOVEREIGNTY.

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REIGNTY IN ANTARCTICA OF THE CLAIMANT AND NON-CLAIMANT STATES. AUSTRALIA BEGAN BY PROPOSING THAT ITS DISCLAIMER (ARTICLE 8 OF ITS DRAFT) WAS A NEUTRAL FORMULA THAT ALL STATES OUGHT TO BE ABLE TO ACCEPT. FRANCE, ARGENTINA AND CHILE ALSO SPOKE IN FAVOR OF A CLAIMANT ORIENTED DISCLAIMER ON THE TERRITORIAL ISSUES. JAPAN RESTATED ITS NON-CLAIMANT POSITION.

17. IN GENERAL, DEBATE THROUGHOUT WEEK WAS WITHOUT  
POLEMICS AND ORIENTED TOWARD ADDRESSING SPECIFIC ISSUE  
UNDER DISCUSSION. CHAIRMAN WILL PREPARE DRAFT ARTICLES BY  
THESDAY, MARCH 7, BASED ON TEXTS AND INFORMATION  
PAPERS SUBMITTED AS WELL AS COMMENTS MADE DURING PLE-  
NARY DISCUSSIONS.  
ALSTON

NOTE BY OC/T: NOT PASSED MMC.

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